

Message Text

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ACTION PM-04

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 1869

INFO AMCONSUL HALIFAX

C O N F I D E N T I A L OTTAWA 4860

E.O. 11652: GDS

TAGS: MILI, CA

SUBJ: ARGENTIA

REF: OTTAWA 4276

1. SUMMARY. EMBASSY HAS RECEIVED LETTER FROM EXTERNAL AFFAIRS
INDICATING AGREEMENT IN PRINCIPLE TO PROPOSED
CHANGES IN ARGENTIA LEASE AGREEMENT. HOWEVER, GOC REQUESTS
CLARIFICATION ON FOUR ADDITIONAL POINTS. END SUMMARY.

2. FOLLOWING IS TEXT OF LETTER RECEIVED FROM EXTAF: F:
BEGIN TEXT. I REFER TO THE PROPOSED AGREEMENT ON THE ARGENTIA
"NORTH PROPERTIES" AND TO MR. NEF'S DISCUSSION WITH MR.
LONGMUIR OF THIS DIVISION ON OCTOBER 21 DURING WHICH HE
CONVEYED YOUR GOVERNMENT'S LATEST PROPOSALS ON THIS QUESTION.
THOSE PROPOSALS, IN BRIEF, WERE AS FOLLOWS:

- THAT THE 1973 DRAFT AGREEMENT BE REVIEWED TO DETERMINE
ITS CONTINUED APPLICABILITY AND VIABILITY;

- THAT THE RIGHT OF THE U.S. TO RE-ENTER THE EXCESS
PROPERTIES WITHOUT CAUSE ON ONE YEAR'S NOTICE (PARA-
GRAPH ONE OF ANNEX C OF THE 1973 DRAFT AGREEMENT) BE
REMOVED;

- THAT, IN ADDITION TO THE AREA IDENTIFIED IN THE
1973 DRAFT AGREEMENT, THE U.S. WOULD INCLUDE THE ISAAC
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HEAD, COX ISLAND, SHIP'S HARBOUR, COOPER'S HEAD AND

BLACK POINT PROPERTIES.

AFTER CONSULTATION WITH OTHER DEPARTMENTS CONCERNED AND WITH THE NEWFOUNDLAND AUTHORITIES, WE AGREE IN PRINCIPLE TO THE ABOVE CHANGES. BEFORE PROCEEDING TO REVIEW THE DRAFT AGREEMENT IN DETAIL, HOWEVER, WE SHOULD BE GRATEFUL FOR YOUR VIEWS ON THE FOLLOWING POINTS OF CLARIFICATION:

1. WHILE THE TERMS "WAR" AND "NATIONAL EMERGENCY" ARE CLEAR ENOUGH, WE SHOULD BE GRATEFUL FOR AS CLEAR A DEFINITION AS POSSIBLE OF "MILITARY NECESSITY". WOULD IT BE POSSIBLE TO DELETE OR MODIFY THIS RATHER IMPRECISE TERM? WE FIND IT DIFFICULT TO ENVISAGE ANY MILITARY NECESSITY SHORT OF WAR OR NATIONAL EMERGENCY WHICH WOULD LEAD TO RE-ENTRY OF U.S. FORCES INTO THE AREA.

2. WHAT IS THE EXTENT OF THE CONSTRAINTS WHICH MIGHT BE PLACED ON LAND USE UNDER PARAGRAPH 7 OF THE ANNEX C OF THE DRAFT AGREEMENT? SPECIFICALLY, WOULD IT BE NECESSARY TO MAINTAIN ALL FACILITIES AND BUILDINGS IN THEIR CURRENT STATE, INCLUDING PARTICULARLY THE AIRFIELD? WOULD IT BE POSSIBLE TO APPEND A SCHEDULE OF THE BUILDINGS AND FACILITIES YOUR GOVERNMENT WOULD WISH TO HAVE RETAINED IN THEIR CURRENT STATE AT THE TIME OF THE AGREEMENT?

3. IN THE LIGHT OF THE ADDITION OF THE AREAS IDENTIFIED ABOVE TO THE PROPERTIES IN QUESTION, THE QUESTION HAS BEEN RAISED IF THE CONDITION CONCERNING EXCLUSION OF COMMUNIST BLOC SHIPPING MIGHT BE REVIEWED. IN OTHER WORDS, WOULD IT BE POSSIBLE TO ESTABLISH A SEA CHANNEL WHICH WOULD SATISFY SECURITY CONCERNS? (THIS POINT IS RAISED AT THE SPECIFIC REQUEST OF THE NEWFOUNDLAND AUTHORITIES.)

4. WOULD YOU BE SO KIND AS TO PROVIDE A LARGE-SCALE CHART DELINEATING THE AREAS COVERED BY THE DRAFT AGREEMENT AS AMENDED BY YOUR OCTOBER 21 PROPOSALS? SUCH A CHART

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WOULD, I BELIEVE, REPLACE ANNEX B TO THE DRAFT AGREEMENT.

UNPON RECEIPT OF YOUR RESPONSE TO THE ABOVE QUESTIONS, WE WOULD BE WILLING TO PREPARE A REVISED DRAFT AGREEMENT (INCLUDING THE COVERING NOTE AND ANNEX "C") IN CONSULTATION WITH OTHER CANADIAN AUTHORITIES CONCERNED SO THAT WE MIGHT CONTINUE OUR NEGOTIATIONS ON THIS MATTER AT AN EARLY DATE. IT WILL BE NECESSARY, OF COURSE, FOR US

TO SEEK THE AUTHORITY OF MINISTERS TO PROCEED WITH THESE
NEGOTIATIONS. I SHOULD THEREFORE BE GRATEFUL FOR A
REPLY AT YOUR EARLIEST CONVENIENCE. END TEXT.

3. ACTION REQUESTED: EMBASSY WOULD APPRECIATE RESPONSE
TO GOC QUESTIONS.
ENDERS

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